

FILED  
for Roanoke  
DEC - 9 2008

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

JOHN F. DORRICHAN, CLERK  
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JAMES J. ROYAL,	)	Civil Action No. 7:08-cv-00222
Plaintiff,	)	
	)	
v.	)	<b><u>FINAL ORDER</u></b>
	)	
KATHLEEN J. BASSETT, et al.,	)	By: Hon. Jackson L. Kiser
Defendants.	)	Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

**ORDERED**

that plaintiff's motion to amend his complaint (docket #39) is **GRANTED**; Dr. George Smith, chief dentist for the Virginia Department of Corrections, is **ADDED as a defendant** to this action; plaintiff's "affidavit in support to amend the motion to compel after request for discovery" (docket #40) is **DENIED**; defendants Bassett, Pickerel, and Schilling's motion and supplement motion for summary judgment (docket #19, 23) are **GRANTED**; defendants Gilbert and Phipps' motion for summary judgment (docket #25) is **GRANTED**; plaintiff's complaint is **DISMISSED**; and the case is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to plaintiff and counsels of record for the defendants.

ENTER: This 9<sup>th</sup> day of December, 2008.

*Jackson L. Kiser*  
Senior United States District Judge